

United States District Court
WESTERN Pennsylvania.
ERIE PA 16501.

DERRICK RANKINE

VS.

C.A.#OH-100ERIE.

SUPERINTENDENT FOLINO ET AL.

TO THE CHIEF JUSTICE AND JUDGES OF SAID COURT

PLAINTIFF, DERRICK RANKINE, NOW SWEARS UNDER
OATH AND THE PENALTY OF PERJURY PURSUANT TO
18 USC A & 1746 THAT ON APRIL 28, 2006, AFTER
THE STATUS HEARING THE PLAINTIFF, CHECKED PLAINTIFF
S RECORD AND FOUND THAT:a) PLAINTIFF DID ATTEMPTED TO SERVE ALL SIX NAMED
DEFENDANTS LEGGETT, JOHNSON, SCHMAPP, BOWLIN,
HARGROVE AND HENDERSON AND THESE DEFENDANTS
REFUSED TO ACCEPTED SERVICE AND INSTRUCTED THE
PLAINTIFF TO SEND THEIR COMPLAINTS TO "THEIR LAWY
ER!"b) PLAINTIFF THEN MAILED THEIR COMPLAINT TO THE DEF
ENDANTS COUNSEL AND SECRETARY JEFFERY
BEARD.c) PLAINTIFF THEN CONTACTED THE UNITED STATES MAR
SHALL SERVICE TO HAVE THE SUBPOENA SERVED ON
THE DEFENDANTS, AND THE MARSHALL SERVICE INFORM
ED PLAINTIFF THAT THE MARSHALL SERVICE CANNOT SERVE

(2) THE SUPPLEMENTAL COMPLAINTS WITHOUT AN ORDER FROM JUDGE BAXTER TO MAKE SUCH SERVICE.

d) PLAINTIFF THEN MAILED A REQUEST TO THIS COURT IN DECEMBER 2004 TO HAVE THE MARSHALL SERVICE SERVED THE DEFENDANTS, WHICH THE COURT HAVE NOT DONE AS YET.

Since Plaintiff is proceeding in forma pauperis, it is the Courts responsibility to make sure that the Marshall Service made service on all defendants, once the complaints are received by the Court. Moreover, Plaintiff is forced to proceed without the assistance of counsel. *Garvin v City of Philadelphia* 354 F3d 215, 220 (CA.3 PA 2003).

Moreover a motion to supplement a complaint or brief should be granted *Freele v Id* *Foreman v Davis* 371 U.S. 178, 182-183, 835 Ct. 227 (1962).

WHEREFORE, Plaintiff prays that the Court would issue an order to have all unserved defendants served by the United States Marshall. So let it be done.

Respectfully Submitted
Demick Rankine

EU5850

SCI-FAYETTE
P.O. Box 9999

LABELLE PA 15450

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CLERK DISTRICT COURT
U.S. DISTRICT COURT

04/28/06